

**STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700**

No. 55,888-CW

SUCCESSION OF

CLARENCE DONALD FOX

FILED: 04/12/24

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On application of Barbara Fox Rock and Marcus Joseph Gray for SUPERVISORY WRIT in No. 2022-3419 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Alvin Rue Sharp.

BREITHAUP, DUBOS & WOLLESON, LLC
Robert Alan Breithaupt

Counsel for:
Barbara Fox Rock and Marcus
Joseph Gray

In Proper Person

Counsel for:
Stephen Donald Fox

LISKOW & LEWIS
Shannon Skelton Holtzman
and
DAVENPORT, FILES & KELLY, LP
W. David Hammett

Counsel for:
Michael Wayne Fox

Before, PITMAN, COX, and MARCOTTE, JJ.

WRIT DENIED.

Applicants, Barbara Fox Rock and Marcus Gray, seek supervisory review of the trial court's February 22, 2024, judgment granting a partial summary judgment in favor of Michael W. Fox, nullifying the act that appointed Marcus Gray as trustee of the Fox Family Irrevocable (Crummey Trust) Trust – Louisiana – I and recognizing Michael W. Fox as the newly-appointed trustee, pursuant to the "Fox Family Irrevocable Trust (Crummey Trust) – Louisiana -I." The February 22, 2024, judgment constitutes a final partial judgment removing and appointing a trustee or legal representative and is therefore appealable. La. C.C.P. art. 2083; La. R.S. 9:1791; La. C.C.P. arts. 2122 and 5251; *Miller v. Miller*, 35,934 (La. App. 2 Cir. 5/8/02), 817 So. 2d 1166, writ denied, 02-1890 (La. 10/25/02), 827 So. 2d 1154; *Marshall v. Marshall*, 19-0879 (La. App. 1 Cir. 7/14/20), 308 So. 3d 1178,

writ denied, 20-01009 (La. 11/4/20), 303 So. 3d 652. Applicants' motion for appeal of the judgment was granted on March 3, 2024. Accordingly, the writ is denied.

Shreveport, Louisiana, this 16 day of May, 2024.

JSC JGO Com

FILED: May 16, 2024

Stacy Garner
DEPUTY CLERK